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GENERAL STATUTE WAS "TOO DRASTIC"

SENATE TURNED DOWN RAILROAD BILL BY SENATOR BEARD, IN WHICH PRINCIPAL CHANGE FROM PRESENT LAW WAS RELATIVE TO NURSES IN CONFORMANCE WITH COURT DECISION.

Yesterday's session of the Senate indicated that it would be about as easy to pass a bill hostile to a railroad company, as to grow a pine tree from a shoe peg.

This has been the case during previous Legislatures, as the records will show, and if a different record is to be exhibited this year the line of action will have to be radically changed from that of yesterday.

Two bills, having the same object for their purpose, separation of races on railway trains, were up for discussion.

That of Senator Trammell provided for divisions or partitions in cars, and gave authority of supervision to the Railroad Commission.

That of Senator Beard provided for separate cars, making it mandatory for the railroads to obey.

The bill of Senator Beard is practically the same as the law that has been on the statute books for many years, the principal change being in regard to negro nurses, so that such provision might conform to a decision of the Supreme Court.

Senator Beard asked that his bill have the preference for the reason that it was stronger and would put on the statute books just what the railroads would HAVE TO DO.

As soon as he made this request he was in the midst of a furious "brain storm" provoked by Senators Henderson, Crill, Buckman and Adams, and the unfortunate Senator from the Second, who up to that time may have had an idea that legislation was intended for the people instead of the railroads, learned what a dunce he was to suggest any such proposition.

He was overwhelmed and put down and out with his little bill, wrecked by the storm of COMMERCIAL oratory that hurled it into indefinite postponement.

"Don't obstruct progress!" the stock cry preached to every member of a Legislature everywhere since the first railroad watered its stock and demanded that the public pay dividends on the water, was the slogan that put John Beard's bill on the shelf of has-beens.

Senator Trammell's bill was a good bill, a product of the Railroad Commissioners' office, but that of Senator Beard was the better, and the Railroad Commission was in no way deprived of authority for seeing that it was obeyed.

Senator Adams groaned aloud over the insult that would be offered the Railroad Commission. "It would be a slap in the face for it," he said, "to have Beard's bill become a law, because the Commission could not exercise supervision."

Up to the present the insults to the Railroad Commission have consisted mostly in not having laws to uphold its orders, and the thing needed to prevent the Railroad Commission of Florida from continuing to be a jest of the railways is to enact some laws that force obedience to its orders.

The humor in the situation, however, was that the opponents to Beard's bill, on the ground that it was "too drastic," did not seem to know that what they were objecting to was Section 2860 of the General Statutes, which was copied verbatim in the bill, with this exception: "Nothing in this act shall be so construed as to apply to nurses of one race in charge of sick persons and children of another race." This change was made to conform to a Supreme Court decision that the law be incontestable.

Business of the Senate yesterday, during a session lasting nearly three hours, consisted principally of wrangling over three bills, one of which was House Bill No. 27, passed by the Senate, returned to the House and then recalled by motion of Senator Crews, so that Senator Harris could amend it.

This is a bill to separate the races on urban and suburban electric cars, and Senator Harris was distressed because he thought the Key West Company would not have time to prepare for observance of the law, and sixty days should be given.

Senator Beard ridiculed this motion, declaring that the provisions of the law could be carried out in fifteen minutes, and that sixty days was unnecessary. This was excuse enough for Senator Harris to talk, and he did until Senator Beard, in order to get to some other bill, agreed to compromise on thirty days, and that matter was ended.

Senate Bill No. 7, by Mr. Trammell, and Senate Bill No. 57, by Mr. Beard, then got under fire.

Senator Beard explained his bill, and asked that it be substituted for the other, both having the same object in view, separation of races on railway trains.

Senator Trammell said he had no preference, so that a bill was passed.

Objection was made, however, to Mr. Beard's motion to informally pass the first bill and take up his, which the committee had reported without recommendation.

Senator Henderson thought Bill No. 57 was "too drastic" and the Committee on Railroads thought it would work great hardship to the railroads, because it would compel them to put on extra cars.

Senator Beard said that he had no objection to screen

- STAG SOCIETY ITEMS -

The host at those nightly functions at the Leon, so pleasantly remembered, called "look-ins," being fatigued from his arduous performance before the Senate Committee on Corporations, telling it HOW NOT TO LEGISLATE, was not "at home" last night, a circumstance that did not materially interfere with the pleasure of those on his visiting list, as they all fortunately had other engagements for the evening.

LONG WAS LONG ON AMENDMENTS.

But He Butchered Them All with the Nerve of a Turk When They were Tried on His Bill To Reduce Passenger Fares.

Representative Long of Clay had a knife for amendments yesterday commensurate with the suggestion of his name.

Whenever an amendment showed itself sufficiently for Long to see he struck it in the back promptly by moving to table it, and in every instance he was supported by a majority.

It was during the morning session that the bill by Mr. Long for a passenger fare of two and a half cents was presented for third reading and passage, and before it was finally passed, which was accomplished by a vote of 43 to 12, several members went after it with amendments, and there was one motion to postpone.

But the attenuated member from Clay was looking for trouble. He didn't get rattled and he didn't go to sleep. He laid for those amendments with the imperturbability of an alligator, and when they were on the verge of being tagged like a tail onto his reduced fare kite he gave a slash that sent them up "Hell for Sartin" creek without visible means of canoeage.

Mr. Griggs wanted to get in an amendment to except from the operation of the measure lines of road which were less than 101 miles long. Mr. Griggs said that the town of Apalachicola had been trying to get a railroad for the past seventy-five years, and had finally succeeded; it would be years before it could hope to pay a dividend, and needed all the money it could make. This was tabled. Mr. Griggs also had an amendment to make it three cents, and this went the same way. Mr. Faulkner had an amendment to except the short lines, and this, too, fared uncannily at the hands of the vigilant Turk. Mr. Malone had an amendment to except the East Coast Extension, and this learned to know where the daisies grow. Mr. Calkins wanted to have the bill set as a special order for Friday morning, which was opposed by Mr. Farris, who said that the railroads had had ample opportunity before the committee to oppose the bill and had failed to do so. Mr. Griggs wanted to know if the railroads were to tell the Legislature what it should do.

"It's a very well known fact that they have been doing it," replied Mr. Farris, and this caused an explosion in the part of the House occupied by Mr. Wilson of Hernando, who could no longer retain his pent-up merriment. And so the bill passed.

For the bill were:

The Speaker, Messrs. Abernethy, Avant, Calkins, Cobb, Crawford, Decker, Duke, Dorman, Farris, Geiger, Harvell, Kilgore, Kirkland, Knight of Columbia, Lassiter, Long, McCutcheon, MacWilliams, McClellan, Matthews, Melton, Morrison, Neel, Olmstead, Paul, Peaden, Pettigrew, Reese, Richbourg, Roddenberry, Russell, Smith, Snell, Taylor, Wartmann, Watson, Willis of Gadsden, Willis of Levy, Williams, Wilson of Calhoun, Wilson of Hernando and Wilson of Lee—43.

Against:

Clarke, DuPont, Griggs, Johnson, Jones, Knight of Citrus, Knowles, McKenzie, Malone, Millinor, Rowe and Wells—12.

or wooden division in cars for trips not to exceed fifty miles, but on all through runs separate cars were necessary.

Senator Crill then took up the argument against Bill 57, saying that Bill 7 was more in accord with the needs of the State; that with Bill 57 schedule time could not be made, as another car would be required; that in the southern part of the State there were not many negro passengers, and it would be a hardship for the railroads to run extra cars for them alone.

"I agree with the Senator from the Twenty-sixth," said Senator Buckman. "I don't think we are ready yet to pass any drastic legislation." The passage of this bill would cut off all the Pullmans or else the railroads would have to haul two. You can't affect one interest in the State without affecting others."

Senator Beard said that the provisions of his bill were not new, and that the only change from the General Statutes was in regard to nurses. He could not remember the section just then, and nobody else did. It was 2860.

Mr. Beard protested against the argument of commercialism and plea of interfering with progress that was a feature of opposition to every measure that hinted of inconvenience to a railway. He thought the interests of the people should be first considered.

On the vote to take up Bill 57, only four Senators supported Mr. Beard—Broome, One, Cottrell and Girardeau.

Senator Adams spoke for Bill 7, saying that it would place the necessary power in the hands of the Railroad Commission, and to pass the bill of Senator Beard "would be a slap in the face of the Railroad Commission."

Then Bill No. 57 was indefinitely postponed.

The bills relative to inspection of railroads were reported yesterday, that of Senator Trammell unfavorably, and that of Senator Hudson with amendments.

ONCE MORE HOUSE REFUSED COUNSEL

MR. MacWILLIAMS ASKS THAT VOTE ON RESOLUTION BE RECONSIDERED, BUT MOTION IS VOTED DOWN, AND IF INVESTIGATING COMMITTEE GETS LAWYER WILL HAVE TO FIRST NAME HIM.

The rallying recourses of the night failed to hurdle but one vote on the side of the minority that sought Monday to have the House pass a resolution empowering the investigating committee to employ counsel.

If fond hopes were cherished they went glimmering down the narrow declivity the drear waters of the unresurrectable when the vote on the motion to reconsider was taken in the House yesterday morning.

The vote on the resolution was 31 to 25; the vote on the motion to reconsider was 33 against; 29 for. Representative MacWilliams, who had voted on the negative side the day previous in order that he might move reconsideration, changed to the affirmative on the motion to reconsider, which gave the minority a gain of three and the majority a gain of two over the vote of the previous day, a net gain of one for the minority.

The motion to reconsider was made by Representative MacWilliams, who spoke at length.

He said that he favored the employment of counsel by the committee for the reason that the people had demanded a full investigation; and that the Chief Executive of the State had deemed this matter of sufficient importance to send a special message asking that a full investigation should be made.

He thought it would be unjust to the House; unjust to the people and unjust to the administration and unjust to the Chief Executive if the House should place itself in the attitude of impeding a full investigation. He did not think that the committee would find anything wrong, but the people had demanded the investigation, and now since the demand had been acceded to, and since the committee had declared that the services of an attorney were needed to conduct the investigation he thought it not only proper but fair to everybody concerned that the committee should be given the assistance which it deemed necessary to conduct the investigation in the fullest and most searching manner.

"Not only do I think that the House should do nothing to impede this investigation, but I think that it should do nothing to seemingly impede it. If the committee thinks that an attorney is necessary the investigation may lack that exhaustive character which will be necessary to satisfy the popular clamor which called for the investigation. It makes no difference to me whether a railroad attorney or some other attorney is employed. As a representative of the legal profession I think I may say that the professional reputation of any attorney is worth more to him than anything else, and no man who would be employed to undertake the work of special counsel in this instance would be lacking in a proper appreciation of his professional reputation involved. Assuming for the sake of argument that a railroad attorney should be engaged, could he find out anything that he shouldn't find out; it makes no difference what his former affiliations may have been, he couldn't bring out anything that isn't there."

"The older I get the more faith I have in human nature. We are too prone to look at the evil rather than the good. It may be said that the gentleman who introduced the resolution for the investigation did so for the purpose of controlling in some measure the committee or the investigation; yet the same gentleman who presented the first resolution and who in the beginning did not think that an attorney would be necessary presents the resolution asking for an attorney, since it has been developed that the services of an attorney are needed."

"I do not believe that any member of that committee could qualify to properly conduct that investigation in less than six months, because none of them has had experience with the transactions of the Trustees, and I believe it is necessary to the expeditious consummation of this investigation that some attorney who is familiar with these affairs should be engaged to assist the committee."

"The House has placed itself in this attitude: 'We are willing to give you an attorney who cannot find out anything or we are not willing to give you an attorney at all.' I insist upon a reconsideration of this resolution in fairness to the administration, to the people, to the Chief Executive and to the committee."

Mr. Mathews of Marion was pained at being compelled to oppose the motion to reconsider, but he was so convinced by the arguments previously made by the gentleman from Alachua (Carter) that no attorney was needed to conduct the investigation that he could not now be persuaded to the contrary view.

Mr. Wilson of Hernando expressed himself as having been charmed with the eloquent eulogy of the railroad attorneys by the gentleman from St. Johns (MacWilliams), but the committee, it was understood, would furnish the name of the attorney whom it wished to employ, when it should present the request for that authority. The committee had failed in this respect, and he opposed reconsideration.

Mr. MacWilliams did not want to be understood as delivering a eulogy on railroad attorneys. He was appealing to the sense of justice and fairness in the matter.

Mr. Knight of Columbia found in the speech of the gentleman from St. Johns a similarity to the sermon of the young preacher who was anxious to please. Asking the opinion of a deacon on his sermon he received the reply that he had made three good points in his sermon, first, he

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